

FORM PTO-1390  
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

Beiersdorf 688-VMM

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/701710

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.  
PCT/EP99/03777INTERNATIONAL FILING DATE  
01.06.1999PRIORITY DATE CLAIMED  
03. June 1998TITLE OF INVENTION  
COSMETIC OR DERMATOLOGICAL PREPARATIONS CONTAINING CATECHINS OR GREEN TEA EXTRACTAPPLICANT(S) FOR DO/EO/US  
Volker SCHREINER; Uwe SCHONROCK; Franz STAB; Heiner MAX; Thomas DORING; Konrad SANDHOFF

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3.  This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4.  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  has been transmitted by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  have been transmitted by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 16. below concern document(s) or information included:

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A FIRST preliminary amendment.
   
 A SECOND or SUBSEQUENT preliminary amendment.
14.  A substitute specification.
15.  A change of power of attorney and/or address letter.
16.  Other items or information:
  - Copy of DE 19627344 A1
  - Copy of English Abstract of DE 19627344
  - Copy of WO 98/10739
  - Copy of the Search Report

09/70170

17.  The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$760.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00

CALCULATIONS PTO USE ONLY

528 Red'd PCT/PTO 01 DEC 2000

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$ 860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	22 - 20 =	2	X \$18.00	\$ 36.00
Independent claims	4 - 3 =	1	X \$80.00	\$ 80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 270.00	\$ 0
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 976.00</b>
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$
<b>SUBTOTAL =</b>				<b>\$ 976.00</b>
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 976.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$
<b>TOTAL FEES ENCLOSED =</b>				<b>\$</b>
				<b>Amount to be: refunded</b>
				<b>\$ 976.00</b>
				<b>charged</b>

a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b.  Please charge my Deposit Account No. 14-1263 in the amount of \$ 976.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1263. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Norris McLaughlin & Marcus PA  
220 East 42nd Street  
30th Floor  
New York, New York 10017  
(212) 808-0700

*Victoria M. Malia*

SIGNATURE:

Victoria M. Malia

NAME

39,359

REGISTRATION NUMBER

# Translator's Report/Comments

Your ref: 2000/82

Your order of (date): 08.09.2000

In translating the above text we have noted the following apparent errors/unclear passages which we have corrected or amended:

Page/para/line*	Comment
1/1/1	"dermatologische" streichen (wiederholt)
4/-1/1 + 5/1/1	Flavanpentaol → Flavanpentol
6/2/1	enhält → enthält
7/3/-4	Sphinosin → Sphingosin
8/1/-4	ZnSO <sub>4</sub> ,
15/3/No.3	Sarcosin → Sarcosinat
16/2/3	Alkylethersulfat → Alkylethersulfate
16/-1/4	...sulfain → ...sultain
16/-1/-7	"beispielsweise" streichen (wiederholt)
16/-1/-4	Cetylpyrimidinium... → Cetylpyridinium...
17/2/No.4	Sorbitan → Sorbit
17/2/No.5	ethoxyliertes/propoxyliertes Lanolin
20/Bsp.6	Cetiol: ...KGaA)

\* This identification refers to the source text. Please note that the first paragraph is taken to be, where relevant, the end portion of a paragraph starting on the preceding page. Where the paragraph is stated, the line number relates to the particular paragraph. Where no paragraph is stated, the line number refers to the page margin line number.

09/701710  
528 Rec'd PCT/PTO 01 DEC 2000

Beiersdorf 688-VMM  
6713-Dr. Wi-ka

## APPENDIX

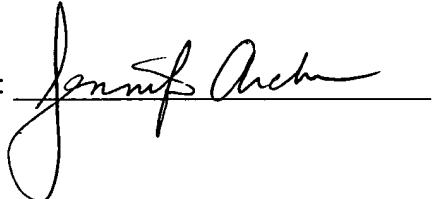
"Express Mail" Mailing Label No. EL 767490883 US

Date of Deposit: December 1, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Hon. Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231.

NORRIS, McLAUGHLIN & MARCUS

By:

A handwritten signature in black ink, appearing to read "Jennifer Arch".